

**EXHIBIT A**



G R E E N ■ W E L L I N G L L P

## FIRM RESUME

### Litigation Approach

The Firm's business strategy is to aggressively develop and pursue opportunities in the field of class action litigation. The Firm's principals have many years of experience in class action litigation. The Firm relies heavily on highspeed scanning and paperless distribution through their computer system to generate efficiencies in legal research and drafting, time-keeping, financial control and planning.

The Firm's class action practice involves claims relating to violations of antitrust law, consumer protection laws, truth in lending legislation, financial services, securities offerings, accounting malpractice, breach of fiduciary duties of corporate officers and directors, and products liability.

The aggressive, result-oriented approach to client representation applied by the Firm and its principals has been demonstrated in the following litigation:

- *McKesson Inc. Derivative Litigation.* McKesson-HBOC, Inc. lost \$9 billion in stock market capitalization in one day during April 1999 after announcing that prior financial statements would be restated due to accounting errors. Rather than pursuing the individuals and companies who participated in the conduct that led to the accounting restatements, the company sued its own shareholders in a case that was promptly dismissed by the Ninth Circuit U.S. Court of Appeals. As co-counsel for plaintiff shareholders seeking to recover money on behalf of the corporation from the wrongdoers, the firm obtained an important decision from the Delaware Supreme Court expanding the rights of shareholders to obtain and inspect corporate documents where there is a proper purpose for investigating potential wrongdoing. *See Saito v. McKesson HBOC, Inc.*, 806 A.2d 113 (Del. Supr. 2002). A substantial settlement on behalf of the Company was approved by the Delaware Chancery Court on February 12, 2006.
- *In re Salomon Analyst Litigation.* Green Welling LLP serves as co-lead counsel for the class. Pending in the U.S. District Court for the Southern District of New York, this case asserts claims against the securities analyst, Jack Grubman, and his employers at Solomon Smith Barney for manipulating the price of XO stock in order to gain investment banking business.
- *In Re: Providian Credit Card Cases.* Robert S. Green was appointed co-lead counsel in this national class action brought on behalf of Providian credit card customers who were improperly charged late fees, higher interest rates on balance transfers, and fees for add-on products, including Credit Protection, PricePro, Drive Pro, HealthPro, and credit line

increases. The San Francisco Superior Court approved a settlement for \$105 million, which covered restitution to Providian customers, "in-kind" payments to customers, and the costs and expenses of the litigation.

- *In re: Tenet Healthcare Cases II.* Jenelle Welling serves on the Plaintiffs' Executive Committee in this consolidated action seeking redress for uninsured consumers who received treatment from one of Tenet Healthcare's 42 California hospitals. The complaint alleged Tenet charged exorbitant and unconscionable prices, for example, marking up prescription drugs 1,038% on average, to increase revenues and profits. A national settlement was approved in August 2005 that provides for restitution, injunctive relief and \$4 million of cy pres damages. The settlement has been hailed as a model for how the nation's uninsured population should be billed for hospital care.
- *XO Communications, Inc. Securities Litigation.* Green Welling LLP represented shareholders in class litigation pending in Delaware who suffered losses in connection with XO's slide into bankruptcy in 2002. In September 2002, the Supreme Court of New York approved a global settlement of the New York and Delaware class action cases that provided a cash fund of over \$8 million to shareholders.
- *Mitchell v. American Fair Credit Association.* In February 2003, attorneys for Green Welling LLP with co-counsel negotiated an \$8.6 million cash fund to be distributed to victims of AFCA's credit repair scheme. Through the settlement, consumers also obtained debt forgiveness for outstanding membership dues and credit repair.
- *Prata v. Bank One.* Green Welling LLP represented the plaintiff class in this case involving "Same as Cash" credit card financing claims. On December 12, 2002, the Superior Court in Los Angeles approved a \$3 million cash settlement for California consumers who participated in the "Same as Cash" financing plan. Litigation of this case resulted in a oft-cited opinion interpreting Bus. & Prof. Code § 17200, *Prata v. Sup. Ct.* (2001) 91 Cal. App. 4th 1128.
- *Starkey v. Rusnak BMW.* Jenelle Welling led this class action asserting that expensive BMW wheels on new cars were secretly replaced before sale with lower value after market wheels. The action was resolved quickly to the benefit of the class, and included an agreement by the dealer to refrain from selling after market wheels on new cars.
- *Demando v. Morris (Capital One Bank).* Robert Green served as lead trial and appellate counsel in this TILA class action. The Ninth Circuit Court of Appeals reversed the district court's grant of summary judgment to the defendant and found that Capital One's notice of change in terms higher than that promised constituted a violation of the Truth in Lending Act. *Demando v. Morris*, 206 F.3d 300 (9th Cir. 2000). Overcharges were refunded to all affected cardholders.
- *Prata v. GE Capital.* Green Welling LLP restored another \$2.5 million to Californians who were duped by the "Same as Cash" advertising slogan and program that GE bought from Bank One. GE also agreed to refrain from using the "Same as Cash" slogan to advertise financing plans that require minimum monthly payments.

- *Kalhammer v. First USA Bank.* Robert Green served as primary counsel in this consumer class action asserting violations of the Truth in Lending Act and breach of contract. In November 1997, a settlement providing \$6 million in cash and credits to First USA credit cardholders was approved by the U.S. District Court for the Northern District of California.
- *Calvin v. Zaken.* Green Welling LLP attorneys represented retired and disabled individuals who were drawn into the Zaken Company's work at home scheme. The case asserted claims under California's elder abuse statutes, the Consumer Legal Remedies Act and California's Unfair Competition Law. Green Welling obtained significant monetary relief for the plaintiffs and an enforceable agreement strictly regulating the advertising and business practices of the defendants.
- *Equitec Roll-Up Litigation.* In 1994, Robert Green was a key member of the trial team in this federal securities class action. Plaintiffs asserted claims in connection with the merger or "roll-up" of ten real estate limited partnerships. By the end of a six month trial, the defendants including Dean Witter, Smith Barney, Hallwood and others had settled for over \$30 million.
- *Brauer v. Primetime 24 Joint Venture and DirecTV, Inc.* In this national class action, the Plaintiff sought damages for a class of 900,000 subscribers to satellite TV, whose network programming (ABC, CBS, NBC, Fox) was cut off after DirecTV and PrimeTime were found to have violated the United States Copyright Act by retransmitting the programming to those subscribers. Under a settlement valued at \$44 million, the defendants provided a package of free, premium movie programming to the class. The settlement was approved April 2001.
- *In Re: Prison Realty Securities Litigation.* In this lawsuit, shareholders of CCA Prison Realty Trust and Corrections Corporation of America sought damages on behalf of investors against a real estate investment trust and its officers and directors, following defendants' alleged false statements made in the context of a merger between Corrections Corporation of America and CCA Prison Realty Trust and subsequent operation of the merged entity. On February 13, 2001, the Court granted final approval to a settlement for over \$104 million in cash and stock.
- *Isco v. Kraemer (In re UDC Homes, Inc).* Securities class action against officers and directors of real estate development company and its auditors. Robert Green assumed lead role in obtaining \$16.75 million in partial settlements. Mr. Green also participated as trial counsel in a five month trial against the company's outside auditors.

- *In re Bridgestone/Firestone, Inc., ATX, ATX II and Wilderness AT Tires Products Liability Litigation.* Robert Green served as chairman of the Law Committee of this nationwide MDL products liability action brought on behalf of owners of certain Firestone tires and Ford Explorers asserting claims under the Magnuson-Moss Warranty Act, 15 U.S.C. §§ 2301 et seq., state consumer protection statutes and common law. In March 2004, a Texas court approved a nationwide settlement with Firestone. Firestone agreed to spend \$15.4 million on consumer education for three years and to implement tire design changes to provide better high speed capacity. Firestone also will replace any recalled tires still on consumers' vehicles at no charge. In June 2005, the Superior Court of California certified a class of California residents that purchased Ford Explorers.
- *In re CARB Compliant Gasoline Cases II, JCCP No. 4449.* Jenelle Welling serves as co-liaison counsel in this anti-trust action pending in California Superior Court. Plaintiffs allege that Union Oil Company misled the California Air Resources Board (CARB) into adopting standards for the composition of summertime reformulated gasoline that overlapped with Union Oil Company's then undisclosed and pending patents. Through this alleged deception and other alleged anti-competitive acts, California consumers in the downstream market allegedly overpaid for summertime CARB-complaint gasoline.
- *In re Dynamic Random Access Memory (DRAM) Anti-trust Litigation, MDL No. 1486.* Green Welling LLP was appointed to the executive committee in this anti-trust action alleging price fixing and other collusion in the market for DRAM chips. Plaintiffs seek restitution and damages on behalf of indirect purchasers of DRAM (e.g., owners of personal computers). The remedies Plaintiffs seek were specifically excluded from the fines totaling roughly \$700 million that 4 defendants have paid as a result of the government's investigations.

### **Partners**

**Robert S. Green** has practiced extensively in the fields of complex and class action litigation since 1988. He graduated with honors from the University of the Pacific, McGeorge School of Law in 1984. Mr. Green received his Masters of Business Administration degree from California State University-Sacramento in 1989 and his undergraduate degree with distinction from Oregon State University in 1981. He is an active member of the National Association of Consumer Attorneys (NACA) and of the Association of Trial Lawyers of America (ATLA), and is an Editorial Advisor for the Consumer Financial Services Law Report. Mr. Green also is a member of the Partners' Council for the National Consumer Law Center and is a former Chairman of the Board of Marin AIDS Interfaith Network.

**Jenelle Welling** graduated from the University of California Hastings College of the Law in 2000, where she was honored with the American Jurisprudence Award in both Moot Court and Trial Advocacy. She also was a member of the Hastings Women's Law Journal. Prior to law school, Ms. Welling received a Masters Degree in Public Policy from the University of California at Berkeley. She graduated with Highest Honors from the University of California at San Diego with a Bachelor of Arts degree in Political Science. Ms. Welling is an active member of the Bar Association of San Francisco (BASF), and the Consumer Attorneys of California (CAOC). She has lectured on mediating consumer class actions and presented a seminar on the basics of consumer class action litigation for plaintiffs' lawyers.

### **Associates**

**Elizabeth C. Guarnieri** received her B.A. in political science from Rider University and graduated magna cum laude. She received her J.D. from Rutgers University School of Law and made the Dean's List while attending law school. She is licensed to practice in California, New Jersey and Pennsylvania. Ms. Guarnieri's practice focuses on securities fraud, antitrust and consumer class action litigation. Ms. Guarnieri serves on the Advisory Board for the Meiklejohn Civil Liberties Institute. She is also a member of the American Bar Association and the San Francisco Bar Association. Prior to joining the firm, Ms. Guarnieri's practice focused on complex civil litigation.

**Charles D. Marshall** has practiced in the field of class action litigation since 1998. He graduated from Loyola University Chicago School of Law in 1998, and received an ABEd. from the University of Michigan in 1994. Mr. Marshall represents consumers victimized by a wide range of corporate, banking and credit schemes, consumers who fall prey to credit reporting errors and consumers of defective products. He is a member of the American Bar Association and is licensed to practice law in California and Illinois.

**Kamon Naddaf** graduated from UC Berkeley School of Law, Boalt Hall in 2003. She was a member of the Berkeley Women's Law Journal and the Asian Law Journal. Ms. Naddaf received two BAs from UC Berkeley where she graduated with distinction in general scholarship and majored in both Political Science and Rhetoric. After earning her BA, she worked for Americorps focusing on homeless policy reforms in the Bay Area.



**Avin P. Sharma** graduated from UC Hastings College of the Law in 2004. He was a member of the Hastings International and Comparative Law Review. Mr. Sharma was a judicial extern at the San Francisco Superior Court for the Honorable A. James Robertson II, the Honorable James J. McBride, and the Honorable Ronald E. Quidachay. He was also a judicial extern for the Honorable Sandra B. Armstrong of the U.S. District Court for the Northern District of California. Mr. Sharma received a B.A. in Business Economics and a B.A. in Political Science from the University of California at Santa Barbara.

**Brian S. Umpierre** graduated from Villanova University School of Law in 1998. He was an extern for the U.S. Environmental Protection Agency - Region III in Philadelphia, PA and a member of the Latin American Law Students Association. He is a graduate of the University of Scranton, where he was a member of Alpha Kappa Delta, the International Sociology Honor Society. Mr. Umpierre is licensed to practice in California.